

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

April 6, 1999

LB 404

functions of the department. Sections 11 through 18 makes up the bulk of the regulatory scheme that the department will employ. These provisions include: (1) establishing identification requirements for domesticated cervine animals, including separate identification for animals that are in transport, after they've been taken; (2) prohibiting the luring or enticing of wild cervine animals into a domestic cervine animal facility; (3) placing infected or potentially infected animals into quarantine; (4) restraining and testing animals for disease; (5) creating a procedure of capturing an escaped domesticated cervine animal or a free-ranging cervine animal that enters a domesticated facility; (6) developing a set of rules and regulations for the control and eradication of diseases, including brucellosis and tuberculosis. These regulations are to include change of ownership tests and provisions for breeding animals to originate from a certified, disease-free herd. And finally, the department is authorized to establish a herd certification program. The department is given the authority to insure compliance with the act through the use of restraining orders and injunctions in the event a violation of the act is occurring or about to occur. The department has access to the facilities upon notification, to examine books and records maintained by the permit holder. In recent discussion, the amendment suggestions were developed and are presented as committee amendments for your consideration. And I will describe those in a moment here. I thank you for your consideration.

SPEAKER KRISTENSEN: Chair of the Agriculture Committee, Senator Dierks, you're recognized to open on the committee amendment.

SENATOR DIERKS: Thank you, Mr. Speaker. The committee amendments to LB 404, AM0378, consists mainly of clarifying language. There are a few major changes, however, that the committee felt necessary to complete a smooth transition of regulatory authority to the Department of Ag. These changes include commission access to domesticated facilities for the purpose of assessing populations of wild cervine animals. (2) Neither the commission, nor the department, shall be held liable for the value of the cervine animal destroyed under the ingress or egress provisions of the act. And (3) creation of a criminal offense for the luring or enticing of wildlife into a